ORDINANCE NUMBER 11

Series 1981

106922

AN ORDINANCE AMENDING ORDINANCE NO. 9, SERIES 1974, ADOPTING THE STATE BUILDING CODE ADOPTED BY THE DIRECTOR OF THE STATE DEPARTMENT OF COMMERCE AND THE FIRE AND LIFE SAFETY CODE ADOPTED BY THE STATE FIRE MARSHALL: PROVIDING FOR A BOARD OF APEALS: PROVIDING PENALTIES FOR THE VIOLATION THEREOF: REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH: AND DECLARING AN EMERGENCY.

THE CITY OF ELGIN DOES ORDAIN AS FOLLOWS:

Section 1: STANDARDS APPLICABLE TO BUILDING. In addition to compliance with this and other ordinances of the City, building and related activities shall comply with provisions of each of the specialty codes making up the State Building Code adopted by the Director of the State Department of Commerce and the Fire and Life Safety Code adopted by the State Fire Marshall as these codes are constituted on July 1, 1974, and thereafter. No person shall conduct building or related activies without compliance with these standards.

Section 2: CITY CODE ADMINISTRATION. The City shall provide for the administration of the plan checking, building permit, inspection program for the structural work, but not for mechanical, plumbing and electrical work. This city program is applicable to public building, including state building, as well as private building.

Section 3: AGRICULTURAL BUILDINGS. Chapter 15, Agricultural Buildings, of the Appendix to the 1973 Edition of the Uniform Building Code published by the International Conference of Bulding Officials, rather than Chapter 15 as set forth on page 635 of the State Structural Specialty Code, shall be in effect in the City.

Section 4: EXCAVATION AND GRADING. Chapter 70, Excavation and Grading, of the Appendix to the 1973 Edition of the Uniform Building Code published by the International Conference of Building Officials shall be in effect in the City.

Section 5: LOCAL INTERPRETATION. In addition to the provisions of Section 106 of the Structural Specialty Code and similar porvisions of other specialty codes, the Building Official may approve a material or a method of construction not specifically presecribed by this ordinance provided he finds that the proposed design is satisfactory and that the material, method or work offered is for the purpose intended at least the equivalent of that specifically prescribed by this ordinance in quality, effectiveness, fire resistance, durability, safety, and energy conservation, and that the Director of the Department of Commerce has not issued a report disapproving the material or method for the purpose. The

Building Official may refer the proposed design to the City Board of Appeals as provided in Section 204 (a) of the Structural Specialty Code and a person affected by a ruling of the Building Official may appeal such ruling to the Board of appeals within thirty (30) days of the date of the ruling. The provisions of this section shall not be interpreted to preclude a person from requesting a ruling from the Director of the Department of Commerce prior to submitting an application to the city for a permit or after withdrawing a previously submitted application.

Section 6: UNSAFE BUILDINGS. The law referred to in Section 203 of the Structural Specialty Code and the Uniform Code for Abatement of Dangerous Buildings, 1973 Edition, as published by the International Conference of Building Officials, shall be the ordinances of this City providing for the abatement of building nuisances.

Section 7: BOARD OF APPEALS. For application in this City, Subsection (a) of Section 203 of the Mechanical Specialty Code are replaced with the following:

(1) In order to determine the suitability of alternate materials and methods of construction and to provide for reasonable interpretation of provisions of standards applicable to building an related activities administered through this City, there is created a Board of Appeals consisting of five (5) voting members who are qualified by experience and training to pass upon matters pertaining to building and related activities. The Building Official shall be an ex officio non-voting member, and he shall act as Secretary of the Board. The Board of Appeals shall be appointed by the City Council and hold office at its pleasure. The Board shall adopt reasonable rules and regulations for conducting its investigations and shall render all decisions and findings in writing to the Building Official with a duplicate copy to the appellant. The Administrator of the State Building Code's Division shall be furnished copies of decisions interpreting state building requirements.

Section 8: VIOLATIONS AND PENALTIES. It shall be unlawful for any person, firm, or corporation to erect, construct, enlarge, alter, repair, move, improve, remove, convert or demolish, equip, use, occupy, or maintain any building or structure in the City, or cause the same to be done, contrary to or in violation of any of the provisions of this ordinance.

(1) Any person, firm, or corporation violating any of the provisions of this ordinance shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any of the provisions of this ordinance is committed, continued, or permitted, and upon conviction of any such violation such person shall be punishable by a fine of not more than $500.00.

Section 9: REPEAL. All ordinances and parts of ordinances in conflict herewith are hereby repealed.

Section 10: EMERGENCY CLAUSE. Inasmuch as it is essential to the preservation of the public health, welfare, pease and safety of the City of Elgin that this ordinance be effective immediately upon its enactment, an emergency is hereby declared to exist and this ordinance shall be in full force and effect from and after its passage and approval.

PASSED and ADOPTED this 8th day of December, 1981, by 7 council members voting therefor.

APPROVED this 8th day of December, 1981.

Russell Hay

Mayor of the City of Elgin

ATTEST:

Betty A. Hulse

City Recorder

CITY OF ELGIN SEAL STATE OF OREGON

106922

STATE OF OREGON
County of Union } ss.

I certify that the within instrument of writing was received for record on the 18th day of NOV. 1982 at 8:30 o'clock A.M., and recorded on page ____ in book Deeds Record of said County.

SHIRLEY L. BOLIN County Clerk

By Barbara Baker Deputy

IMPROVED